

MEMORANDUM FOR: Assistant for Information, DDA

FROM: James H. McDonald
Director of Logistics

SUBJECT: Proposed Legislation Amending the Federal
Tort Claims Act

REFERENCE:

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1. We have reviewed the proposed legislation, and our inclination is to support its passage. When we consider the high visibility the Agency has in today's climate, efforts to actively oppose the legislation might tend to intensify any hostilities. To remain neutral might lead to enactment of legislation which could in fact remain void of any special concerns the Agency has.

2. Therefore, of the alternative tactical approaches you propose to suggest to the Director, we would endorse active support of the legislation. We would, however, suggest that your office continue to pursue with the Office of Management and Budget and the congressional committees any of the specific Agency concerns with regard to the protection of cover, security, and sources and methods.

3. As to Chapter 78, Employee Discipline, it would appear that under the immunity provisions of the legislation there must be a determination made in the first instance which acknowledges that the employee acted within the scope of his office or employment before immunity can be granted. If immunity is granted, we agree that the employee must be protected against further disciplinary action.

OL 9 1863a

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Claims Act**

4. Please contact [redacted] if
you have any questions regarding our comments.

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[redacted]

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for James H. McDonald

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OL/P&PS [redacted]

(16 May 79)

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TRANSMITTAL SLIP		DATE 11 APR 1980
TO: OL/P & PS		
ROOM NO. 2F31	BUILDING	
REMARKS: cc: AGC/OL		
FROM: O-D/L		
ROOM NO.	BUILDING	EXTENSION

FORM NO 241
1 FEB 55REPLACES FORM 36-8
WHICH MAY BE USED.

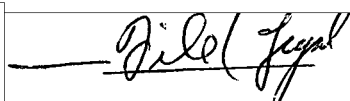
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